

March 3, 2004

**IMPROVED DEPARTMENT OF VETERANS AFFAIRS DENTAL BENEFITS FOR
FORMER PRISONERS OF WAR**

1. PURPOSE: This Veterans Health Administration (VHA) Directive provides policy for providing dental care and an exemption from the medication co-payment to all former prisoners of war (POW) as established by Public Law 108-170, the “Veterans Health Care, Capital Asset, and Business Improvement Act of 2003.”

2. BACKGROUND: Public Law 108-170, the Veterans Health Care, Capital Asset, and Business Improvement Act of 2003, established authority to provide VA dental care to all former POWs, and the authority to exempt former POWs from the medication co-payment. It repealed the requirement that former POWs must have been detained or interned for a minimum of 90 days in order to be eligible for VA dental benefits.

3. POLICY: It is VHA policy to implement the new VA dental eligibility guidelines for outpatient dental services established by Public Law 108-170 for former POWs and to provide them the exemption from the medication co-payment.

4. ACTION: The medical facility Director is responsible for ensuring that:

a. Any former POW, as determined by the military service department, may be authorized any needed dental treatment.

b. The Dental Service at each facility records their dental workload data for all former POWs under the Class II (c) dental outpatient category.

c. Revenue staff manually reviews any medication co-payment charge billed to a former POW and takes the necessary steps to cancel the medication co-payment charges until a software patch can be developed. ***NOTE:** It is still appropriate to submit health insurance claims for former POWs when medications have been dispensed.*

d. The medication co-payment exemption and dental eligibility changes are retroactive to the date of the enactment of Public Law 108-170 on December 6, 2003.

5. REFERENCES

a. Public Law 108-170.

b. Title 38, United States Code, Section 1712.

6. FOLLOW-UP RESPONSIBILITY: The Chief Business Office (16) is responsible for the contents of this directive. Questions concerning eligibility and co-payments should be referred

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to the Business Policy Section at (202) 254-0406. Questions concerning dental care should be referred to the Office of the Assistant Under Secretary for Health for Dentistry (112D), at (202) 273-8503.

7. RESCISSIONS: None. This VHA Directive expires March 31, 2009.

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Under Secretary for Health

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